

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles and larvae.

DISPOSITION: November 8, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8488. Adulteration and misbranding of Grassolio. U. S. v. 2 Cans and 1 Bottle of Grassolio. Default decree of condemnation and destruction. (F. D. C. No. 15294. Sample No. 11610-H.)

LIBEL FILED: February 20, 1945, District of Massachusetts.

ALLEGED SHIPMENT: On or about December 26, 1944, by the Briganti Extract Co., Inc., from Brooklyn, N. Y.

PRODUCT: 2 1-gallon cans and 1 2-quart bottle of Grassolio at Boston, Mass. Examination of a sample showed that the product was composed of a neutral oil, F D & C Yellow No. 3, chlorophyll, and a coal-tar color made by combining aniline, or a similar base, with a phenol. No coal-tar color having the composition of the last-named color has been listed as suitable for certification.

LABEL, IN PART: "Grassolio * * * Active Ingredients. Essential Oils & Esters. Artificial Color."

VIOLATIONS CHARGED: Adulteration, Section 402 (c), the product contained a coal-tar color other than one from a batch that has been certified in accordance with the regulations.

Misbranding, Section 403 (a), the label statement, "Essential Oils," was false and misleading since the product did not contain essential oils; and, Section 403 (i), the product was fabricated from two or more ingredients, and the label failed to bear the common or usual name of each such ingredient.

DISPOSITION: May 28, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8489. Misbranding of Delson Brand Yucca Cactus. U. S. v. 4 Drums of Yucca Cactus. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15177. Sample No. 74080-F.)

LIBEL FILED: On or about February 8, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about January 9, 1945, by the California Citrus Juice Exchange, from Santa Ana, Calif. This was a return shipment, the product having been shipped to Santa Ana, Calif., from Chicago, Ill., by the Citrus Products Co. on or about October 9, 1944.

PRODUCT: 4 drums of Yucca Cactus at Chicago, Ill. Analysis showed that the product was a mixture of powdered plant extractive, probably a saponin, about 35 percent dehydrated sodium sulfate, and magnesium sulfate and borax. It was to be used as an ingredient of food.

LABEL, IN PART: (3 drums) "Delson Brand Yucca Cactus"; (1 drum) "Saponin (Ex Yucca)."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the names "Saponin (Ex Yucca)" and "Yucca Cactus" were false and misleading as applied to a mixture of a powdered plant extractive, probably a saponin, about 35 percent dehydrated sodium sulfate, and magnesium sulfate and borax.

Further misbranding, Section 403 (a), the labeling was misleading since it failed to reveal the material fact that the product contained a poisonous substance, borax, and the laxative drugs, epsom salts and glauher salts.

DISPOSITION: June 5, 1945. J. H. DeLamar and Son, Chicago, Ill., having admitted the facts of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured under the supervision of the Food and Drug Administration.

8490. Misbranding of gift packages of food. U. S. v. 69 Gift Packages. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 14807. Sample No. 84262-F.)

LIBEL FILED: December 19, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about November 17, 1944, by Gertrude's Studios, Chicago, Ill.

PRODUCT: 69 1-pound gift packages of food at San Francisco, Calif. These packages contained a tray containing cake and candy. The candy was packed in inadequately filled, fluted cups. About one-half of the space in the tray was occupied by the cake and candy. Beneath the tray was an empty space